



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JORGE LOUIS CONILL,)	Criminal No. L:19-CR-348(GJS)
LODMAR ELIAS CRESPO,)	
JOAN JESUS MANSO DIEGUEZ,)	
JEMNIS HERNANDEZ GONZALEZ,)	
YANDY LUIS HERNANDEZ)	18 U.S.C. § 1956(h)
GONZALEZ,)	[Money Laundering Conspiracy]
HUGO HERNANDEZ, and)	
ATNETYS FERREIRA MILIAN.)	18 U.S.C. § 1028A
)	[Aggravated Identity Theft]
)	
)	
)	Six Counts and Forfeiture Allegations
Defendants.)	
)	Counties of Albany, Broome,
		Offense: Montgomery

THE GRAND JURY CHARGES:

At all times relevant to the indictment:

BACKGROUND

1. Defendants JORGE LOUIS CONILL, LODMAR ELIAS CRESPO (hereinafter “LODMAR CRESPO”), JOAN JESUS MANSO DIEGUEZ (hereinafter “JOAN MANSO DIEGUEZ”), JEMNIS HERNANDEZ GONZALEZ, YANDY LUIS HERNANDEZ GONZALEZ (hereinafter “YANDY HERNANDEZ GONZALEZ”), HUGO HERNANDEZ, and ATNETYS FERREIRA MILIAN (hereinafter, “ATNETYS FERREIRA”), were residents of Florida.

2. “Skimming devices,” or “skimmers,” were electronic devices constructed in Florida, and elsewhere, and installed inside gas pumps in the Northern District of New York, and

elsewhere, in order to capture, surreptitiously, the credit and debit card information (to include account numbers and pin numbers, as applicable) of unsuspecting gas station customers opting to pay at the pump for gasoline purchases.

3. Skimmers were capable of copying and storing, and did copy and store, account information and other data encoded on credit and debit cards used by gas station customers to purchase gas at the pump (such card data is recorded and transmitted during the payment authorization function that occurs during a pay-at-the-pump gasoline purchase).

4. The account information copied by the skimmers was stored on the skimmers until it was harvested by those who returned to the pumps and downloaded the data using Bluetooth technology and/or other wireless networks.

5. The harvested account information was then shared by way of various internet and cellular networks, to include e-mail, with other individuals located in Florida, and elsewhere.

6. The individuals who received the harvested account information created fraudulent debit and credit cards by encoding the magnetic strips of blank cards with the stolen account information, and by printing on and embossing some of the cards with false account names and numbers in an effort to make the cards appear legitimate.

7. The fraudulent debit and credit cards created using the account information stolen by the skimmers were often transported back to the Northern District of New York and elsewhere via U.S. Mail, FedEx, and by courier, and were used to: (a) withdraw cash from ATM machines; (b) purchase money orders; and (c) purchase gift cards from various retail stores such as Wal-Mart and Home Depot. The cash, money orders, and gift cards (or data necessary to use the gift cards) were often mailed or carried back to Florida.

8. Through a series of subsequent transactions involving the money orders and gift cards, they were converted into cash or wires of money, enriching the defendants.

COUNT 1
[Conspiracy to Commit Access Device Fraud]

9. Paragraphs 1 through 8 are repeated and realleged as if set forth fully herein.

THE CONSPIRACY

10. Beginning in or around April of 2016 and continuing through on or about December of 2018, in Albany, Broome, and Montgomery Counties in the Northern District of New York, and elsewhere, the defendants, JORGE LOUIS CONILL, LODMAR CRESPO, JOAN MANSO DIEGUEZ, JEMNIS HERNANDEZ GONZALEZ, YANDY HERNANDEZ GONZALEZ, HUGO HERNANDEZ, and others, did knowingly, intentionally, and unlawfully combine, conspire, confederate, and agree with each other, and with others, to commit access device fraud against the United States, in violation of:

- a. Title 18, United States Code, Section 1029(a)(1), by knowingly and with the intent to defraud, using, producing, or trafficking in one or more counterfeit access devices, and impacting interstate commerce; and
- b. Title 18, United States Code, Section 1029(a)(3), by knowingly and with the intent to defraud, possessing fifteen or more devices which are counterfeit or unauthorized access devices, and impacting interstate commerce.

OBJECT OF THE CONSPIRACY

11. It was the object of the conspiracy that the defendants, JORGE LOUIS CONILL, LODMAR CRESPO, JOAN MANSO DIEGUEZ, JEMNIS HERNANDEZ GONZALEZ, YANDY HERNANDEZ GONZALEZ, HUGO HERNANDEZ, and others, enriched themselves

by devising a scheme to steal the bank account information of unsuspecting gas station customers and use it to obtain money orders, gift cards, cash, and other things of value.

MANNER AND MEANS

12. Using the internet, the defendant HUGO HERNANDEZ, and others, purchased materials to create skimmers.

13. Using the parts purchased by the defendant HUGO HERNANDEZ, and others, the defendant LODMAR CRESPO, and others, created skimmers to be installed in gas pumps in the Northern District of New York, and elsewhere.

14. The defendants YANDY HERNANDEZ GONZALEZ and LODMAR CRESPO, and others, traveled or recruited members of the conspiracy to travel to the Northern District of New York, and elsewhere, to install skimming devices in gas pumps located in gas stations in Albany, Broome, and Montgomery Counties in the Northern District of New York, and elsewhere.

15. Members of the conspiracy, including the defendant YANDY HERNANDEZ GONZALEZ, returned to the gas stations where they or co-conspirators previously had installed skimmers to harvest, using Bluetooth technology and/or other wireless networks, the credit and debit card information of unsuspecting third party gas station customers that had been captured by and was stored on the skimmers.

16. Members of the conspiracy who installed skimmers and harvested data from them used vehicles to shield themselves and the gas pumps from the view of the public and/or gas station employees working inside the gas stations buildings. Co-conspirators also entered the retail stores located on the premises of targeted gas stations and purchased goods or otherwise distracted gas station employees during the installation or harvesting of data from the skimmers.

17. After harvesting data from the skimmers, members of the conspiracy uploaded the harvested, stolen debit and credit card data obtained using the skimmers onto computers and electronic storage media (e.g. cellular phones, tablets, portable storage media).

18. The defendant YANDY HERNANDEZ GONZALEZ, and others, transmitted the stolen credit and debit card information of unsuspecting third party gas station customers obtained via the skimmers to the defendant LODMAR CRESPO, and others, located in Florida, and elsewhere.

19. The defendants LODMAR CRESPO and YANDY HERNANDEZ GONZALEZ, and others, purchased software and materials necessary for creating fraudulent debit and credit cards.

20. The defendant LODMAR CRESPO, and others, created fraudulent debit and credit cards encoded with the stolen card data of unsuspecting third party gas station customers.

21. Members of the conspiracy sent the fraudulent cards created by the defendant LODMAR CRESPO, and others, to members of the conspiracy who had traveled to the Northern District of New York to facilitate activities of the conspiracy.

22. Members of the conspiracy sent or otherwise transmitted the instruments they obtained using the fraudulent cards encoded with stolen card data to other co-conspirators, including the defendant HUGO HERNANDEZ.

23. Members of the conspiracy, including the defendant JEMNIS HERNANDEZ GONZALEZ, and others, used the fraudulent debit and/or credit cards to obtain cash, merchandise, goods, services, and other things of value.

24. Members of the conspiracy, including the defendant YANDY HERNANDEZ GONZALEZ, and others, used gift cards obtained using stolen card data to make online purchases of goods and merchandise.

OVERT ACTS

25. In furtherance of the conspiracy, and to effect its objects, the defendants JORGE LOUIS CONILL, LODMAR CRESPO, JOAN MANSO DIEGUEZ, JEMNIS HERNANDEZ GONZALEZ, YANDY HERNANDEZ GONZALEZ, HUGO HERNANDEZ, and others, committed overt acts within the Northern District of New York, and elsewhere, including but not limited to the following:

- a. On or about April 4, 2016, the defendant HUGO HERNANDEZ incorporated in Florida a company called HH Investments USA Inc., located at 615 W. 68th St., Suite 105, Hialeah, Florida 33014.
- b. Between on or about April 19, 2016, through May 8, 2016, the defendant YANDY HERNANDEZ GONZALEZ purchased items from websites that offer for sale equipment needed to create fraudulent debit and credit cards, including devices capable of reading, writing, and encoding data on credit and debit cards, as follows:
 - i. 4/19/2016: ZCS160 USB 4-IN-1Credit Card Reader&Writer EMV IC Chip/Magnetic/RFID/P SAM Card;
 - ii. 4/30/2016: MiniDX3 Portable Mini Magnetic Credit Card Reader Data Collector Magstripe Strip; and
 - iii. 5/8/2016: MiniDX3 Portable Mini Magnetic Credit Card Reader Data Collector Magstripe Strip.

- c. Between on or about July 31, 2016, and November 11, 2017, the defendant YANDY HERNANDEZ GONZALEZ, using a Gmail account registered to him, sent or received (or caused the sending or receipt) of emails attaching or containing stolen account data for 3,999 cards to or from co-conspirators, including the defendant LODMAR CRESPO (using an email account he controls). Of those emails, the defendant LODMAR CRESPO sent or caused the sending of data for at least 378 cards and received or caused the receipt of data for at least 359 cards.
- d. Between on or about September 18, 2016 and October 8, 2016, the defendant LODMAR CRESPO purchased items from websites that offer for sale equipment needed to create fraudulent debit and credit cards, including blank, encodable credit/debit cards and supplies and software for printing on blank debit/credit cards, as well as a card reader/writer/encoder, as follows:
 - i. 9/18/2016: Fargo HDP5000 Supplies: Color ribbon, Transfer film, PVC cards, software;
 - ii. 9/18/2016: 500 UltraCard PVC Cards - HiCo MagStripe 2 Track - CR80 .30 Mil - New Sealed; and
 - iii. 10/8/2016: 2 in1 USB 3 Track Magnetic Strip RFID IC Card Reader Writer Encoder Scanner US.
- e. Between on or about July 25, 2017 and on or about November 30, 2017, the defendant HUGO HERNANDEZ, on behalf of his company HH Investments USA, Inc., purchased items using the internet from a company that supplies parts needed to create gas station skimming devices, including 140 seven-pin connectors and

other items identical to the types found in each skimming device found inside gas pumps in the Northern District of New York.

- f. On or about August 7, 2017, the defendant HUGO HERNANDEZ traveled to the Massachusetts, Vermont, and the Northern District of New York, where he visited gas stations where skimming devices were later found and removed by law enforcement officers.
- g. On or about August 20, 2017, the defendant YANDY HERNANDEZ GONZALEZ traveled to the Northern District of New York in order to harvest data from skimmers.
- h. On or about August 20, 2017, the defendant YANDY HERNANDEZ GONZALEZ, using an email address registered to him, after a log-in to an IP address for a subscriber (a hotel) located in the Northern District of New York, sent or caused the sending of a file named “Albany Pin.txt” and containing stolen data from twelve credit and/or debit cards to co-conspirator A.
- i. In or around October 2017, co-conspirators B and C travelled to the Northern District of New York, where they:
 - i. received fraudulent debit and/or cards created by the defendant LODMAR CRESPO, and others, encoded with stolen card data and embossed with the name of co-conspirator B,
 - ii. purchased money orders and withdrew cash using the fraudulent debit cards, and
 - iii. prepared packages containing money orders and cash to be sent by U.S. Mail to co-conspirators located in Florida.

- j. In or around October 2017, the defendant YANDY HERNANDEZ GONZALEZ recruited co-conspirator D to join the conspiracy and directed him/her to travel to the Northern District of New York to:
 - i. carry fraudulent debit cards encoded with stolen data and embossed with co-conspirator D's name to the Northern District of New York,
 - ii. purchase money orders using the fraudulent debit cards,
 - iii. withdraw cash using the fraudulent debit cards, and
 - iv. transmit, by U.S. Mail, money orders back to co-conspirator E, located in Florida, and carry cash and money orders back to Florida upon co-conspirator D's return.
- k. On or around October 18, 2017, co-conspirator E accepted a package via U.S. Postal Mail addressed to him/her and containing postal money orders that had been purchased by co-conspirator D using fraudulent cards encoded with stolen card data and embossed with co-conspirator D's name.
- l. On or about October 19, 2017, the defendant JEMNIS HERNANDEZ GONZALEZ withdrew \$200 in cash from an ATM machine located in Hialeah, Florida, using a card encoded with stolen card data of a resident of the Northern District of New York, D.G., who had patronized a gas station—where he/she paid at the pump—located in Amsterdam, New York, where skimming devices were found and removed by law enforcement officers.
- m. On or about October 27, 2017, co-conspirators F and G traveled to the Northern District of New York, where they:
 - i. harvested data from skimmers,

- ii. purchased money orders using fraudulent debit cards and encoded with stolen data, and
 - iii. transmitted money orders back to co-conspirators, including HUGO HERNANDEZ, located in Florida.
- n. On or about December 18, 2017, co-conspirators H and I traveled to the Northern District of New York, where they installed skimmers in gas pumps and harvested data from skimmers. Co-conspirators H and I were caught in the act of attempting to harvest data from a gas station in Fonda, New York, and possessed fraudulent cards encoded with stolen card data, as well as electronics that had been connected through the filesharing program TeamViewer to a computer that was at one or more times also connected to a computer possessed by the defendant JORGE LOUIS CONILL.
- o. On or about March 13, 2018, the defendants LODMAR CRESPO and JEMNIS HERNANDEZ GONZALEZ possessed the following items:
 - i. 169 blank (unprinted) credit or debit cards that were encoded with stolen card data;
 - ii. 1 fake debit card encoded with stolen card data and embossed with the name of co-conspirator B,
 - iii. 43 fake debit and credit cards encoded with stolen card data and embossed with the name of co-conspirator D;
 - iv. Materials needed to make skimming devices, including 23 circuit boards, shrink tubing, a bag of cable connectors, and a ribbon and cable set—all of the type found in all of the skimmers removed from gas pumps by law

enforcement during the investigation into the alleged scheme—as well as a soldering iron, a bottle of liquid solder flux, one pack of glue sticks, a tube of soluble flux, one circuit tester, one set of blades, electrical solder, and a clamp set;

- v. Two skimmers equipped with SIM cards;
- vi. Two card reader/writer/encoders;
- vii. A smart card reader; and
- viii. Electronic devices that contained information for over 8,251 stolen credit/debit cards, diagrams of gas pumps designed and manufactured by the company Gilbarco (a type exploited in the scheme) that included schematics detailing the electronic components that facilitate the gas pump “pay at the pump” functionality, and instructions for enabling and disabling “visible mode” for “pickit3” Bluetooth technology software used to download information from skimmers installed in gas pumps in the Northern District of New York, and elsewhere.

p. On or about July 19, 2018, the defendant JORGE LOUIS CONILL possessed the following items:

- i. three thumb drives that, collectively, contained over 4,235 stolen debit and/or card numbers. Fourteen of those numbers were found in skimmers removed by law enforcement from gas pumps located in the Northern District of New York;
- ii. a skimming device;
- iii. a credit card reader/writer/encoder; and

iv. Electronic devices containing files with diagrams of gas pumps designed and manufactured by the company Gilbarco that included schematics detailing the electronic components that facilitate the gas pump “pay at the pump” functionality and instructions for enabling and disabling “visible mode” for “pickit3” Bluetooth technology software used to download information from skimmers installed in gas pumps in the Northern District of New York, and elsewhere.

All in violation of Title 18, United States Code, Section 1029(b)(2).

COUNT 2
[Conspiracy to Commit Money Laundering]

26. Paragraphs 1 through 8 of this indictment are repeated and realleged as if set forth fully herein.

THE CONSPIRACY

27. From in or around December of 2015 through in or around July of 2019, in Albany, Broome, and Montgomery Counties in the Northern District of New York, and elsewhere, JOAN MANSO DIEGUEZ, ATNETYS FERREIRA, JEMNIS HERNANDEZ GONZALEZ, YANDY HERNANDEZ GONZALEZ, HUGO HERNANDEZ, and others, did knowingly, intentionally, and unlawfully combine, conspire, confederate, and agree with each other, and with others, to commit money laundering, by violating of Title 18, United States Code, Section 1956(a)(1)(B)(i) by, knowing that the property involved in one or more financial transactions represented the proceeds of some form of unlawful activity, conducting and attempting to conduct such financial transactions affecting interstate commerce, which transactions involved the proceeds of specified unlawful activity, that is, access device fraud, in violation of Title 18, United States Code, Section 1029(a)(1) and (3), and a conspiracy to do so, in violation of Title 18 United States Code, Section

1029(b)(2), knowing that the transactions were designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds.

OBJECT

28. It was the object of the conspiracy that the defendants JOAN MANSO DIEGUEZ, ATNETYS FERREIRA, JEMNIS HERNANDEZ GONZALEZ, YANDY HERNANDEZ GONZALEZ, and others, enriched themselves by devising a scheme to launder proceeds derived from the access device fraud scheme alleged in Count One of this Indictment.

MANNER AND MEANS

29. Paragraph 25 of this indictment is repeated and realleged as if set forth fully herein.

30. The defendants JORGE LOUIS CONILL, LODMAR CRESPO, JOAN MANSO DIEGUEZ, JEMNIS HERNANDEZ GONZALEZ, YANDY HERNANDEZ GONZALEZ, HUGO HERNANDEZ, and others, conspired to commit and did commit access device fraud by creating gas station skimming device, installing those devices in gas stations in the Northern District of New York, and elsewhere, stealing credit and debit card information of unsuspecting gas station customers opting to pay at the pump for gasoline, and using the stolen debit and credit card information to make fake credit and debit cards that were then used to obtain in the Northern District of New York, and elsewhere, money orders, cash, gift cards, and other things of value.

31. The money orders, cash, and gift cards obtained using fake credit and debit cards were transmitted or carried, or were caused to be transmitted or carried, to the person identified in Count One as co-conspirator E, the defendant HUGO HERNANDEZ, and others, in Florida.

32. Co-conspirator I, and others, obtained the money orders purchased using stolen debit cards and provided them to the defendant ATNETYS FERREIRA, and others.

33. The defendant ATNETYS FERREIRA, and others, received, accepted, and deposited money orders purchased with stolen debit card information into bank accounts they controlled and, in short order, then withdrew cash in substantially the same amounts from the bank accounts.

34. The defendant ATNETYS FERRERIA recruited co-conspirator J to allow her access to three of his/her bank accounts to deposit money orders and withdraw cash.

35. The defendants JEMNIS HERNANDEZ GONZALEZ, LODMAR CRESPO, and JOAN MANSO DIEGUEZ, and others, enriched themselves by selling gift cards purchased with stolen credit card information on gift card exchanges and transferring the proceeds to bank accounts they controlled.

36. The defendant YANDY HERNANDEZ GONZALEZ, and others, used gift cards obtained using fake credit cards encoded with stolen data to obtain goods and merchandise through online purchases.

OVERT ACTS

37. In furtherance of the conspiracy to commit money laundering, the defendants JOAN MANSO DIEGUEZ, ATNETYS FERREIRA, JEMNIS HERNANDEZ GONZALEZ, YANDY HERNANDEZ GONZALEZ, HUGO HERNANDEZ, and others, committed the following overt acts in the Northern District of New York, and elsewhere:

- a. In or about September of 2016, the defendant JEMNIS HERNANDEZ GONZALEZ, on behalf of a company called Best Ecommerce Solution (which she later incorporated in Florida), obtained a “bulk seller” account and began selling gift cards purchased with fraudulent credit cards encoded with stolen card data on the gift card exchange website raise.com.

- b. On or about December 19, 2016, the defendant JEMNIS HERNANDEZ GONZALEZ incorporated in Florida a company called Best Ecommerce Solution Inc., located at 366 East 16th Street, Hialeah, Florida 33010.
- c. On or about February 20, 2017, the defendant JOAN MANSO DIEGUEZ incorporated in Florida a company called Express Ecommerce, located at 6355 SW 8th St., #800, Miami, Florida 33144.
- d. In or about March of 2017, the defendant JEMNIS HERNANDEZ GONZALEZ, on behalf of her company Best Ecommerce Solution Inc., obtained a “bulk seller” account and began selling gift cards purchased with fraudulent credit cards encoded with stolen card data on the gift card exchange website cardpool.com.
- e. In or about August of 2017, the defendant JOAN MANSO DIEGUEZ, on behalf of his company Express Ecommerce, obtained a “bulk seller” account and began selling gift cards purchased with fraudulent credit cards encoded with stolen data on the gift card exchange website cardpool.com.
- f. In or around October 2017, YANDY HERNANDEZ GONZALEZ directed the person referred to in Count One as “co-conspirator D” to send, by U.S. Postal Mail, a package containing postal money orders and cash that were purchased using cards encoded with data stolen using gas station skimming device to the person referred to in Count One as “co-conspirator E.”
- g. On or around October 18, 2017, co-conspirator E accepted a package via U.S. Postal Mail addressed to him/her and containing postal money orders that had been purchased and cash that had been withdrawn by co-conspirator D using fraudulent

cards encoded with card data stolen using skimmers and embossed with his/her name.

- h. In or around October of 2017, the defendant HUGO HERNANDEZ arranged for the persons referred to in Count One as “co-conspirator G” and “co-conspirator H” to travel to the Northern District of New York, where they purchased money orders using stolen debit cards and also mailed a package containing money orders to the defendant HUGO HERNANDEZ in Florida.
- i. Between in or about December of 2015 and January of 2018, the defendant ATNETYS FERREIRA deposited at least 1,133 money orders into six bank accounts, totaling \$691,687—including money orders that were purchased with fake debit cards possessed by co-conspirator G and co-conspirator H, and made 855 cash withdrawals, totaling \$642,525.
- j. Between in or around April of 2016 through May of 2018, the defendant HUGO HERNANDEZ made 162 deposits into an HH Investments USA bank account he controlled, totaling \$173,257.05, and 449 cash withdrawals, totaling \$172,538.19.
- k. Between on or about August of 2017 and July of 2019, the defendant JOAN MANSO DIEGUEZ traded on online gift card exchange websites at least 10,465 gift cards with a total face value of \$1,740,014.31.
- l. Between on or about September of 2016 and July of 2019, the defendant JEMNIS HERNANDEZ GONZALEZ traded on online gift card exchange websites at least 3,384 gift cards, with a total face value of \$499,619.04.

All in violation of Title 18, United States Code, Section 1956(h).

COUNTS THREE THROUGH FIVE
[Aggravated Identity Theft]

38. Paragraphs 1 through 25 are repeated and realleged as if fully set forth herein.

39. On or about the date specified as to each count below, in Albany and Montgomery Counties in the Northern District of New York, and elsewhere, the defendants JORGE LOUIS CONILL, LODMAR CRESPO, and YANDY HERNANDEZ GONZALEZ, as specified in each count below, during and in relation to a felony enumerated in Title 18, United States Code, Section 1028A(c), that is, possessing fifteen or more devices which are counterfeit or unauthorized access devices, in violation of Title 18, United States Code, Section 1029(a)(3), and conspiracy to commit access device fraud, in violation of Title 18, United States Code, Section 1029(b)(2), knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, that is, the names and sixteen digit credit card numbers of the individuals whose information was possessed on the dates specified below, during and in relation to the felony offenses of possessing fifteen or more devices which are counterfeit or unauthorized access devices, and conspiracy to commit access device fraud, all in violation of Title 18, United States Code, Sections 1028A(a)(1).

Count	Defendants	Approximate Dates	Individuals
Three	JORGE LOUIS CONILL	July 19, 2018	E.M.
Four	LODMAR CRESPO	March 13, 2018	W.L.
Five	YANDY HERNANDEZ GONZALEZ	September 29, 2016	D.D.

COUNT SIX
[Aggravated Identity Theft]

40. Paragraphs 1 through 25 are repeated and realleged as if fully set forth herein.

41. On or about October 19, 2017, in Broome County in the Northern District of New York, and elsewhere, the defendant JEMNIS HERNANDEZ GONZALEZ, during and in relation to a felony enumerated in Title 18, United States Code, Section 1028A(c), that is, using, producing, or trafficking in one or more counterfeit access devices, in violation of Title 18, United States Code, Section 1029(a)(1), and conspiracy to commit access device fraud, in violation of Title 18, United States Code, Section 1029(b)(2), knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, that is, the name and sixteen digit debit card number and four digit pin number of the individual D.G., which information was encoded on a fake debit card used by JEMNIS HERNANDEZ GONZALEZ to withdraw \$200 from an ATM machine in Hialeah, Florida, during and in relation to the felony offenses of using, producing, or trafficking in one or more counterfeit access devices and conspiracy to commit access device fraud, all in violation of Title 18, United States Code, Sections 1028A(a)(1).

FORFEITURE ALLEGATIONS

I. FIRST FORFEITURE ALLEGATION

1. The allegations contained in Count One of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(2)(B) and 1029(c)(1)(C).

2. Pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1029(c)(1)(C), upon conviction of any offense in violation of Title 18, United States Code, Section 1029(b)(2), the defendants JORGE LOUIS CONILL, LODMAR CRESPO, JOAN MANSO DIEGUEZ, JEMNIS HERNANDEZ GONZALEZ, YANDY HERNANDEZ GONZALEZ, and HUGO

HERNANDEZ, shall forfeit to the United States of America any property constituting and derived from any proceeds obtained, directly and indirectly, as the result of such violation and any personal property used and intended to be used to commit the offense. The property to be forfeited includes, but is not limited to, a money judgment equal to the amount of proceeds obtained as a result of the offense charged in Count One of the Indictment.

3. If any of the property described above, as a result of any act or omission of any defendant:

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third party;
- c. Has been substantially diminished in value; or
- d. Has been commingled with other property which cannot be divided without difficulty

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), incorporated by Title 28, United States Code, Section 2461(c).

II. SECOND FORFEITURE ALLEGATION

4. The allegations contained in Count Two of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(1).

5. Pursuant to Title 18, United States Code, Section 982(a)(1), upon conviction of any offense in violation of Title 18, United States Code, Section 1956(h), the defendants JOAN MANSO DIEGUEZ, ATNETYS FERREIRA, JEMNIS HERNANDEZ GONZALEZ, YANDY HERNANDEZ GONZALEZ, and HUGO HERNANDEZ shall forfeit to the United States of

America any property, real and personal, involved in such offense, and any property traceable to such property. The property to be forfeited includes, but is not limited to, a money judgment equal to the amount involved in the offense charged in Count Two of the Indictment.

6. If any of the property described above, as a result of any act or omission of any defendant:

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third party;
- c. Has been substantially diminished in value; or
- d. Has been commingled with other property which cannot be divided without difficulty

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), incorporated by Title 28, United States Code, Section 2461(c).

Dated: September 26, 2019

A TRUE BILL.

Name Redacted

Grand Jury Foreperson

GRANT C. JAQUITH
United States Attorney

By:



RICHARD BELLISS, Bar Roll No. 515295
EMILY C. POWERS, Bar Roll No. 5139205
Assistant United States Attorneys